

through cooperative study, training, and research.

(b) Location

The Institute shall be located at an institution of higher education or at a consortium of such institutions.

(c) Authorization of appropriations

To carry out this section, there are authorized to be appropriated \$10,000,000 for fiscal year 1994 and such sums as may be necessary for each of fiscal years 1995 and 1996.

(Pub. L. 102-532, § 4, Oct. 27, 1992, 106 Stat. 3512.)

CODIFICATION

Section was enacted as part of the Enterprise for the Americas Initiative Act of 1992, and not as part of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 which comprises this chapter.

SUBCHAPTER IX—STUDIES

§§ 3301 to 3304. Repealed. Pub. L. 99-198, title XIV, § 1421, Dec. 23, 1985, 99 Stat. 1552

Section 3301, Pub. L. 95-113, title XIV, § 1459, Sept. 29, 1977, 91 Stat. 1016, required Secretary of Agriculture to transmit to Congress, not later than March 31, 1979, an evaluation of economic and social consequences of programs of Extension Service and cooperative extension services.

Section 3302, Pub. L. 95-113, title XIV, § 1460, Sept. 29, 1977, 91 Stat. 1016, required Secretary to conduct a comprehensive study of effects of changing climate and weather on crop and livestock productivity and submit a report, with recommendations, to President and Congress within twelve months after Sept. 29, 1977.

Section 3303, Pub. L. 95-113, title XIV, § 1461, Sept. 29, 1977, 91 Stat. 1016, required Secretary to conduct, and, within twelve months after September 29, 1977, submit to President and Congress a report containing results of and Secretary's recommendations concerning an investigation and analysis of practicability, desirability, and feasibility of collecting organic waste materials.

Section 3304, Pub. L. 95-113, title XIV, § 1462, Sept. 29, 1977, 91 Stat. 1017, required Secretary to conduct a comprehensive study of status and future needs of agricultural research facilities and, within fourteen months after September 29, 1977, submit to President and Congress a report on this study, with recommendations.

SUBCHAPTER X—FUNDING AND MISCELLANEOUS PROVISIONS

§ 3310. Limitation on indirect costs for agricultural research, education, and extension programs

Except as otherwise provided in law, indirect costs charged against a competitive agricultural research, education, or extension grant awarded under this Act or any other Act pursuant to authority delegated to the Under Secretary of Agriculture for Research, Education, and Economics shall not exceed 19 percent of the total Federal funds provided under the grant award, as determined by the Secretary.

(Pub. L. 95-113, title XIV, § 1462, as added Pub. L. 105-185, title II, § 230(a), June 23, 1998, 112 Stat. 546.)

PRIOR PROVISIONS

A prior section 1462 of Pub. L. 95-113 was classified to section 3304 of this title, prior to repeal by Pub. L. 99-198.

§ 3311. Authorization of appropriations

(a) Existing programs

Notwithstanding any authorization for appropriations for agricultural research in any Act enacted prior to September 29, 1977, there are hereby authorized to be appropriated for the purposes of carrying out the provisions of this chapter, except sections 3152, 3154, and 2669 of this title, and the competitive grants program provided for in section 450i of this title, and except that the authorization for moneys provided under the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), is excluded and is provided for in subsection (b) of this section, \$850,000,000 for each of the fiscal years 1991 through 2002.

(b) Agricultural research at State agricultural experiment stations

Notwithstanding any authorization for appropriations for agricultural research at State agricultural experiment stations in any Act enacted prior to September 29, 1977, there are authorized to be appropriated for the purpose of conducting agricultural research at State agricultural experiment stations pursuant to the Act of March 2, 1887 (24 Stat. 440-442, as amended; 7 U.S.C. 361a-361i), \$310,000,000 for each of the fiscal years 1991 through 2002.

(c) Funding requirements for programs

Notwithstanding any other provision of law effective beginning October 1, 1983, not less than 25 per centum of the total funds appropriated to the Secretary in any fiscal year for the conduct of the cooperative research program provided for under the Act of March 2, 1887, commonly known as the Hatch Act (7 U.S.C. 361a et seq.); the cooperative forestry research program provided for under the Act of October 10, 1962, commonly known as the McIntire-Stennis Act (16 U.S.C. 582a et seq.); the special and competitive grants programs provided for in sections 2(b) and 2(c) of the Act of August 4, 1965 (7 U.S.C. 450i); the animal health research program provided for under sections 3195 and 3196 of this title; the native latex research program provided for in the Native Latex Commercialization and Economic Development Act of 1978 (7 U.S.C. 178 et seq.); and the research provided for under various statutes for which funds are appropriated under the Agricultural Research heading or a successor heading, shall be appropriated for research at State agricultural experiment stations pursuant to the provision of the Act of March 2, 1887.

(Pub. L. 95-113, title XIV, § 1463, Sept. 29, 1977, 91 Stat. 1017; Pub. L. 97-98, title XIV, § 1437, Dec. 22, 1981, 95 Stat. 1314; Pub. L. 99-198, title XIV, § 1422, Dec. 23, 1985, 99 Stat. 1552; Pub. L. 101-624, title XVI, § 1601(b)(3), Nov. 28, 1990, 104 Stat. 3703; Pub. L. 102-237, title IV, § 402(12), Dec. 13, 1991, 105 Stat. 1863; Pub. L. 104-127, title VIII, §§ 817, 884(d), Apr. 4, 1996, 110 Stat. 1167, 1179; Pub. L. 105-185, title III, § 301(a)(12), June 23, 1998, 112 Stat. 562.)

REFERENCES IN TEXT

For definition of "this chapter", referred to in subsection (a), see note set out under section 3102 of this title.

Act of March 2, 1887, referred to in text, is act Mar. 2, 1887, ch. 314, 24 Stat. 440, as amended, popularly

known as the Hatch Act of 1887, which is classified generally to sections 361a to 361i of this title. For complete classification of this Act to the Code, see Short Title note set out under section 361a of this title and Tables.

Act of October 10, 1962, referred to in subsec. (c), is Pub. L. 87-788, Oct. 10, 1962, 76 Stat. 806, as amended, known as the McIntire-Stennis Act of 1962, which is classified generally to subchapter III (§582a et seq.) of chapter 3 of Title 16, Conservation. For complete classification of this Act to the Code, see Tables.

The Native Latex Commercialization and Economic Development Act of 1978, referred to in subsec. (c), is Pub. L. 95-592, Nov. 4, 1978, 92 Stat. 2529, as amended, which, as amended by Pub. L. 98-284, May 16, 1984, 98 Stat. 181, is known as the Critical Agricultural Materials Act and is classified principally to subchapter II (§178 et seq.) of chapter 8A of this title. For complete classification of this Act to the Code, see Short Title note set out under section 178 of this title and Tables.

AMENDMENTS

1998—Subsecs. (a), (b). Pub. L. 105-185 substituted “2002” for “1997”.

1996—Subsec. (a). Pub. L. 104-127, §884(d), struck out “390 to 390j,” before “3152, 3154”.

Pub. L. 104-127, §817, substituted “1997” for “1995”.

Subsec. (b). Pub. L. 104-127, §817, substituted “1997” for “1995”.

1991—Subsec. (a). Pub. L. 102-237 struck out “subchapter VII of this chapter and” after “chapter, except”.

1990—Subsec. (a). Pub. L. 101-624, §1601(b)(3)(A), substituted “\$850,000,000 for each of the fiscal years 1991 through 1995” for “\$600,000,000 for the fiscal year ending September 30, 1986, \$610,000,000 for the fiscal year ending September 30, 1987, \$620,000,000 for the fiscal year ending September 30, 1988, \$630,000,000 for the fiscal year ending September 30, 1989, and \$640,000,000 for the fiscal year ending September 30, 1990.”

Subsec. (b). Pub. L. 101-624, §1601(b)(3)(B), substituted “\$310,000,000 for each of the fiscal years 1991 through 1995” for “\$270,000,000 for the fiscal year ending September 30, 1986, \$280,000,000 for the fiscal year ending September 30, 1987, \$290,000,000 for the fiscal year ending September 30, 1988, \$300,000,000 for the fiscal year ending September 30, 1989, and \$310,000,000 for the fiscal year ending September 30, 1990.”

1985—Subsec. (a). Pub. L. 99-198, §1422(a), substituted “\$600,000,000 for the fiscal year ending September 30, 1986, \$610,000,000 for the fiscal year ending September 30, 1987, \$620,000,000 for the fiscal year ending September 30, 1988, \$630,000,000 for the fiscal year ending September 30, 1989, and \$640,000,000 for the fiscal year ending September 30, 1990” for “\$505,000,000 for the fiscal year ending September 30, 1978, \$575,000,000 for the fiscal year ending September 30, 1979, \$645,000,000 for the fiscal year ending September 30, 1980, \$715,000,000 for the fiscal year ending September 30, 1981, \$780,000,000 for the fiscal year ending September 30, 1982, \$780,000,000 for the fiscal year ending September 30, 1983, \$835,000,000 for the fiscal year ending September 30, 1984, and \$890,000,000 for the fiscal year ending September 30, 1985, and not in excess of such sums as may after the date of enactment of this title be authorized by law for any subsequent fiscal year”.

Subsec. (b). Pub. L. 99-198, §1422(b), substituted “\$270,000,000 for the fiscal year ending September 30, 1986, \$280,000,000 for the fiscal year ending September 30, 1987, \$290,000,000 for the fiscal year ending September 30, 1988, \$300,000,000 for the fiscal year ending September 30, 1989, and \$310,000,000 for the fiscal year ending September 30, 1990” for “\$120,000,000 for the fiscal year ending September 30, 1978, \$145,000,000 for the fiscal year ending September 30, 1979, \$170,000,000 for the fiscal year ending September 30, 1980, \$195,000,000 for the fiscal year ending September 30, 1981, \$220,000,000 for the fiscal year ending September 30, 1982, \$230,000,000 for the fiscal year ending September 30, 1983, \$240,000,000 for the fiscal year ending September 30, 1984, and \$250,000,000 for the fiscal year ending Sep-

tember 30, 1985, and not in excess of such sums as may after September 29, 1977 be authorized by law for any subsequent fiscal year”.

1981—Subsec. (a). Pub. L. 97-98, §1437(1), inserted provisions authorizing appropriations of \$780,000,000 for fiscal year ending Sept. 30, 1983, \$835,000,000 for fiscal year ending Sept. 30, 1984, and \$890,000,000 for fiscal year ending Sept. 30, 1985.

Subsec. (b). Pub. L. 97-98, §1437(2), inserted provisions authorizing appropriations of \$230,000,000 for fiscal year ending Sept. 30, 1983, \$240,000,000 for fiscal year ending Sept. 30, 1984, and \$250,000,000 for fiscal year ending Sept. 30, 1985.

Subsec. (c). Pub. L. 97-98, §1437(3), added subsec. (c).

EFFECTIVE DATE OF 1985 AMENDMENT

Section 1422(a) and (b) of Pub. L. 99-198 provided that the amendments made by that section are effective Oct. 1, 1985.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

EFFECTIVE DATE

Subchapter effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as an Effective Date of 1977 Amendment note under section 1307 of this title.

§ 3312. Authorization of appropriations for extension education

Notwithstanding any authorization for appropriations for the Cooperative Extension Service in any Act enacted prior to September 29, 1977, there are hereby authorized to be appropriated for the purposes of carrying out the extension programs of the Department of Agriculture \$420,000,000 for fiscal year 1991, \$430,000,000 for fiscal year 1992, \$440,000,000 for fiscal year 1993, \$450,000,000 for fiscal year 1994, and \$460,000,000 for each of fiscal years 1995 through 2002.

(Pub. L. 95-113, title XIV, §1464, Sept. 29, 1977, 91 Stat. 1018; Pub. L. 97-98, title XIV, §1438, Dec. 22, 1981, 95 Stat. 1314; Pub. L. 99-198, title XIV, §1423, Dec. 23, 1985, 99 Stat. 1552; Pub. L. 101-624, title XVI, §1601(b)(4), Nov. 28, 1990, 104 Stat. 3703; Pub. L. 104-127, title VIII, §818, Apr. 4, 1996, 110 Stat. 1167; Pub. L. 105-185, title III, §301(a)(13), June 23, 1998, 112 Stat. 562.)

AMENDMENTS

1998—Pub. L. 105-185 substituted “2002” for “1997”.

1996—Pub. L. 104-127 substituted “each of fiscal years 1995 through 1997” for “fiscal year 1995”.

1990—Pub. L. 101-624 substituted “\$420,000,000 for fiscal year 1991, \$430,000,000 for fiscal year 1992, \$440,000,000 for fiscal year 1993, \$450,000,000 for fiscal year 1994, and \$460,000,000 for fiscal year 1995” for “\$370,000,000 for the fiscal year ending September 30, 1986, \$380,000,000 for the fiscal year ending September 30, 1987, \$390,000,000 for the fiscal year ending September 30, 1988, \$400,000,000 for the fiscal year ending September 30, 1989, and \$420,000,000 for the fiscal year ending September 30, 1990.”

1985—Pub. L. 99-198 substituted “\$370,000,000 for the fiscal year ending September 30, 1986, \$380,000,000 for the fiscal year ending September 30, 1987, \$390,000,000 for the fiscal year ending September 30, 1988, \$400,000,000 for the fiscal year ending September 30, 1989, and \$420,000,000 for the fiscal year ending September 30, 1990” for “\$260,000,000 for the fiscal year ending September 30, 1978, \$280,000,000 for the fiscal year ending September 30, 1979, \$300,000,000 for the fiscal year ending September 30, 1980, \$320,000,000 for the fiscal

year ending September 30, 1981, \$350,000,000 for the fiscal year ending September 30, 1982, \$360,000,000 for the fiscal year ending September 30, 1983, \$370,000,000 for the fiscal year ending September 30, 1984, and \$380,000,000 for the fiscal year ending September 30, 1985, and not in excess of such sums as may after September 29, 1977, be authorized by law for any subsequent fiscal year”.

1981—Pub. L. 97-98 inserted provisions authorizing appropriations of \$360,000,000 for fiscal year ending Sept. 30, 1983, \$370,000,000 for fiscal year ending Sept. 30, 1984, and \$380,000,000 for fiscal year ending Sept. 30, 1985.

EFFECTIVE DATE OF 1985 AMENDMENT

Section 1423 of Pub. L. 99-198 provided that the amendment made by that section is effective Oct. 1, 1985.

EFFECTIVE DATE OF 1981 AMENDMENT

Amendment by Pub. L. 97-98 effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as an Effective Date note under section 4301 of this title.

§ 3313. Payment of funds

Except as provided elsewhere in this Act or any other Act of Congress, funds available for allotment under this chapter shall be paid to each eligible institution or State at such time and in such amounts as shall be determined by the Secretary.

(Pub. L. 95-113, title XIV, § 1467, Sept. 29, 1977, 91 Stat. 1018.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in text, see note set out under section 3102 of this title.

§ 3314. Repealed. Pub. L. 105-185, title I, § 103(f)(3)(C), June 23, 1998, 112 Stat. 528

Section, Pub. L. 95-113, title XIV, § 1468, Sept. 29, 1977, 91 Stat. 1018, related to withholding of funds if Secretary determines institution or State is not entitled to allotment under this chapter.

§ 3315. Auditing, reporting, bookkeeping, and administrative requirements

(a) In general

Except as provided elsewhere in this Act or any other Act of Congress—

(1) assistance provided under this chapter shall be subject to the provisions of sections 450i(e), 450i(f), and 450i(h)¹ of this title;

(2) the Secretary shall provide that each recipient of assistance under this chapter shall submit an annual report, at such times and on such forms as the Secretary shall prescribe, stating the accomplishments of projects (on a project-by-project basis) for which such assistance was used and accounting for the use of all such assistance. If the Secretary determines that any portion of funds made available under this chapter has been lost or applied in a manner inconsistent with the provisions of this chapter or regulations issued thereunder the recipient of such funds shall reimburse the Federal Government for the funds lost or so applied, and the Secretary shall not make available to such recipient any additional funds under this Act until the recipient has so reimbursed the Federal Government;

(3) the Secretary may retain up to 4 percent of amounts appropriated for agricultural research, extension, and teaching assistance programs for the administration of those programs authorized under this Act or any other Act; and

(4) the Secretary shall establish appropriate criteria for grant and assistance approval and necessary regulations pertaining thereto.

(b) Community food projects

The Secretary may retain, for the administration of community food projects under section 2034 of this title, 4 percent of amounts available for the projects, notwithstanding the availability of any appropriation for administrative expenses of the projects.

(c) Peer panel expenses

Notwithstanding any other provision of law regarding a competitive research, education, or extension grant program of the Department of Agriculture, the Secretary may use grant program funds, as necessary, to supplement funds otherwise available for program administration, to pay for the costs associated with peer review of grant proposals under the program.

(d) “In-kind support” defined

In any law relating to agricultural research, education, or extension activities administered by the Secretary, the term “in-kind support”, with regard to a requirement that the recipient of funds provided by the Secretary match all or part of the amount of the funds, means contributions such as office space, equipment, and staff support.

(Pub. L. 95-113, title XIV, § 1469, Sept. 29, 1977, 91 Stat. 1019; Pub. L. 105-185, title II, § 230(b), June 23, 1998, 112 Stat. 547.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (a), see note set out under section 3102 of this title.

Sections 450i(e), 450i(f), and 450i(h) of this title, referred to in subsec. (a)(1), were redesignated as sections 450i(f), 450i(g), and 450i(i), respectively, by Pub. L. 101-624, title XIV, § 1497(1), Nov. 28, 1990, 104 Stat. 3630.

AMENDMENTS

1998—Pub. L. 105-185, § 230(b)(1), reenacted section catchline without change, designated existing provisions as subsec. (a), and inserted heading.

Subsec. (a)(3). Pub. L. 105-185, § 230(b)(2), added par. (3) and struck out former par. (3) which read as follows: “three per centum of the appropriations shall be retained by the Secretary for the administration of the programs authorized under this chapter; and”.

Subsecs. (b) to (d). Pub. L. 105-185, § 230(b)(3), added subsecs. (b) to (d).

§ 3316. Rules and regulations

The Secretary is authorized to issue such rules and regulations as the Secretary deems necessary to carry out the provisions of this chapter.

(Pub. L. 95-113, title XIV, § 1470, Sept. 29, 1977, 91 Stat. 1019.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in text, see note set out under section 3102 of this title.

¹ See References in Text note below.

§ 3317. Program evaluation studies

(a) The Secretary shall regularly conduct program evaluations to meet the purposes of this chapter and the responsibilities assigned to the Secretary and the Department of Agriculture in this chapter. Such evaluations shall be designed to provide information that may be used to improve the administration and effectiveness of agricultural research, extension, and teaching programs in achieving their stated objectives.

(b) The Secretary is authorized to encourage and foster the regular evaluation of agricultural research, extension, and teaching programs within the State agricultural experiment stations, cooperative extension services, and colleges and universities, through the development and support of cooperative evaluation programs and program evaluation centers and institutes.

(Pub. L. 95-113, title XIV, §1471, as added Pub. L. 97-98, title XIV, §1439(a), Dec. 22, 1981, 95 Stat. 1314.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (a), see note set out under section 3102 of this title.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3318. Contract, grant, and cooperative agreement authorities**(a) Purposes, nature and construction**

The purpose of this section is to confer upon the Secretary general authority to enter into contracts, grants, and cooperative agreements to further the research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture. This authority supplements all other laws relating to the Department of Agriculture and is not to be construed as limiting or repealing any existing authorities.

(b) Authority of Secretary; legal effect of agreement; participation by other Federal agencies

(1) Notwithstanding chapter 63 of title 31, the Secretary may use a cooperative agreement as the legal instrument reflecting a relationship between the Secretary and a State cooperative institution, State department of agriculture, college, university, other research or educational institution or organization, Federal or private agency or organization, individual, or any other party, if the Secretary determines that—

(A) the objectives of the agreement will serve a mutual interest of the parties to the agreement in agricultural research, extension, and teaching activities, including statistical reporting; and

(B) all parties will contribute resources to the accomplishment of those objectives.

(2) Notwithstanding any other provision of law, any Federal agency may participate in any such cooperative agreement by contributing funds through the appropriate agency of the Department of Agriculture or otherwise if it is mu-

tually agreed that the objectives of the agreement will further the authorized programs of the contributing agency.

(c) Duration and eligibility

The Secretary may enter into contracts, grants, or cooperative agreements, for periods not to exceed five years, with State agricultural experiment stations, State cooperative extension services, all colleges and universities, other research or education institutions and organizations, Federal and private agencies and organizations, individuals, and any other contractor or recipient, either foreign or domestic, to further research, extension, or teaching programs in the food and agricultural sciences of the Department of Agriculture.

(d) Vesting of title

The Secretary may vest title to expendable and nonexpendable equipment and supplies and other tangible personal property in the contractor or recipient when the contractor or recipient purchases such equipment, supplies, and property with contract, grant, or cooperative agreement funds and the Secretary deems such vesting of title a furtherance of the agricultural research, extension, or teaching objectives of the Department of Agriculture.

(e) Applicable requirements

Unless otherwise provided in this chapter, the Secretary may enter into contracts, grants, or cooperative agreements, as authorized by this section, without regard to any requirements for competition, the provisions of section 5 of title 41, and the provisions of section 3324(a) and (b) of title 31.

(Pub. L. 95-113, title XIV, §1472, as added Pub. L. 97-98, title XIV, §1439(a), Dec. 22, 1981, 95 Stat. 1315; amended Pub. L. 99-198, title XIV, §1424, Dec. 23, 1985, 99 Stat. 1552.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (e), see note set out under section 3102 of this title.

CODIFICATION

In subsec. (e), “section 3324(a) and (b) of title 31” substituted for reference to section 3648 of the Revised Statutes (31 U.S.C. 529) on authority of Pub. L. 97-258, §4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

AMENDMENTS

1985—Subsecs. (b) to (e). Pub. L. 99-198 added subsec. (b) and redesignated former subsecs. (b) to (d) as (c) to (e), respectively.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 5924 of this title.

§ 3319. Restriction on treatment of indirect costs and tuition remission

Funds made available by the Secretary under established Federal-State partnership arrangements to State cooperative institutions under the Acts referred to in section 3103(16) of this

title and funds made available under subsection (c)(1)(B) and subsection (d) of section 450i of this title shall not be subject to reduction for indirect costs or for tuition remission. No indirect costs or tuition remission shall be charged against funds in connection with cooperative agreements between the Department of Agriculture and State cooperative institutions if the cooperative program or project involved is of mutual interest to all the parties and if all the parties contribute to the cooperative agreement involved. The prohibition on the use of such funds for the reimbursement of indirect costs shall not apply to funds for international agricultural programs conducted by a State cooperative institution and administered by the Secretary or to funds provided by a Federal agency for such cooperative program or project through a fund transfer, advance, or reimbursement. The Secretary shall limit the amount of such reimbursement to an amount necessary to carry out such program or agreement.

(Pub. L. 95-113, title XIV, § 1473, as added Pub. L. 97-98, title XIV, § 1439(a), Dec. 22, 1981, 95 Stat. 1315; amended Pub. L. 99-198, title XIV, § 1425, Dec. 23, 1985, 99 Stat. 1553; Pub. L. 102-237, title IV, § 402(13), Dec. 13, 1991, 105 Stat. 1863.)

REFERENCES IN TEXT

See notes set out under section 3103 of this title for Acts enumerated in par. (16) of that section.

AMENDMENTS

1991—Pub. L. 102-237 substituted “subsection (c)(1)(B)” for “subsection (c)(2)”.

1985—Pub. L. 99-198 inserted provisions making prohibition on use of funds for reimbursement of indirect costs inapplicable to funds for international agricultural programs but required the Secretary to limit the reimbursement to amounts necessary to carry out the programs.

EFFECTIVE DATE

Section effective Dec. 22, 1981, see section 1801 of Pub. L. 97-98, set out as a note under section 4301 of this title.

§ 3319a. Cost-reimbursable agreements

Notwithstanding any other provision of law, the Secretary of Agriculture may enter into cost-reimbursable agreements with State cooperative institutions or other colleges and universities without regard to any requirement for competition, for the acquisition of goods or services, including personal services, to carry out agricultural research, extension, or teaching activities of mutual interest. Reimbursable costs under such agreements shall include the actual direct costs of performance, as mutually agreed on by the parties, and the indirect costs of performance, not exceeding 10 percent of the direct cost.

(Pub. L. 95-113, title XIV, § 1473A, as added Pub. L. 99-198, title XIV, § 1426, Dec. 23, 1985, 99 Stat. 1553; amended Pub. L. 105-185, title II, § 231, June 23, 1998, 112 Stat. 547.)

AMENDMENTS

1998—Pub. L. 105-185 inserted “or other colleges and universities” after “institutions” in first sentence.

§§ 3319b, 3319c. Repealed. Pub. L. 101-624, title XVI, § 1601(f)(1)(E), (F), Nov. 28, 1990, 104 Stat. 3704

Section 3319b, Pub. L. 95-113, title XIV, § 1473B, as added Pub. L. 99-198, title XIV, § 1427, Dec. 23, 1985, 99 Stat. 1553, provided for technology development for small- and medium-sized farming operations.

Section 3319c, Pub. L. 95-113, title XIV, § 1473C, as added Pub. L. 99-198, title XIV, § 1427, Dec. 23, 1985, 99 Stat. 1554, provided for a special technology development research program.

§ 3319d. Supplemental and alternative crops

(a) Research and pilot project program

Notwithstanding any other provision of law, during the period beginning October 1, 1986, and ending September 30, 2002, the Secretary shall develop and implement a research project program for the development of supplemental and alternative crops, using such funds as are appropriated to the Secretary each fiscal year under this chapter.

(b) Importance to producers

The development of supplemental and alternative crops is of critical importance to producers of agricultural commodities whose livelihood is threatened by the decline in demand experienced with respect to certain of their crops due to changes in consumption patterns or other related causes.

(c) Research funding, special or competitive grants, etc.; program requirements; agreements, grants and other arrangements

(1) The Secretary shall use such research funding, special or competitive grants, or other means, as the Secretary determines, to further the purposes of this section in the implementation of a comprehensive and integrated program.

(2) The program developed and implemented by the Secretary shall include—

(A) an examination of the adaptation of supplemental and alternative crops;

(B) the establishment and extension of various methods of planting, cultivating, harvesting, and processing supplemental and alternative crops;

(C) the transfer of such applied research to on-farm practice as soon as practicable;

(D) the establishment through grants, cooperative agreements, or other means of such processing, storage, and transportation facilities for supplemental and alternative crops as the Secretary determines will facilitate the achievement of a successful program; and

(E) the application of such other resources and expertise as the Secretary considers appropriate to support the program.

(3) The program may include, but shall not be limited to, agreements, grants, and other arrangements—

(A) to conduct comprehensive resource and infrastructure assessments;

(B) to develop and introduce supplemental and alternative income-producing crops;

(C) to develop and expand domestic and export markets for such crops;

(D) to provide technical assistance to farm owners and operators, marketing cooperatives, and others;

(E) to conduct fundamental and applied research related to the development of new commercial products derived from natural plant material for industrial, medical, and agricultural applications; and

(F) to participate with colleges and universities, other Federal agencies, and private sector entities in conducting research described in subparagraph (E).

(d) Use of expertise and resources of other Federal agencies and land-grant colleges and universities

The Secretary shall use the expertise and resources of the Agricultural Research Service, the Cooperative State Research Service, the Extension Service, and the land-grant colleges and universities for the purpose of carrying out this section.

(Pub. L. 95–113, title XIV, §1473D, as added Pub. L. 99–198, title XIV, §1428, Dec. 23, 1985, 99 Stat. 1554; amended Pub. L. 101–624, title XVI, §1601(b)(5), Nov. 28, 1990, 104 Stat. 3703; Pub. L. 104–127, title VIII, §819, Apr. 4, 1996, 110 Stat. 1167; Pub. L. 105–185, title III, §301(a)(14), title VI, §606(a), June 23, 1998, 112 Stat. 562, 603.)

REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (a), see note set out under section 3102 of this title.

AMENDMENTS

1998—Subsec. (a). Pub. L. 105–185, §301(a)(14), substituted “2002” for “1997”.

Subsec. (c)(3). Pub. L. 105–185, §606(a), made technical amendment to directory language of Pub. L. 104–127, §819(b)(5). See 1996 Amendment note below.

1996—Subsec. (a). Pub. L. 104–127, §819(a), (b)(1), substituted “1997” for “1995” and struck out “and pilot” after “research”.

Subsec. (c)(2)(B). Pub. L. 104–127, §819(b)(2), struck out “at pilot sites in areas adversely affected by declining demand for crops grown in the area” after “alternative crops”.

Subsec. (c)(2)(C). Pub. L. 104–127, §819(b)(3), struck out “from pilot sites” after “research”.

Subsec. (c)(2)(D). Pub. L. 104–127, §819(b)(4), struck out “near such pilot sites” after “facilities” and “pilot” after “successful”.

Subsec. (c)(3). Pub. L. 104–127, §819(b)(5), as amended by Pub. L. 105–185, §606(a), struck out “pilot” before “program” in introductory provisions.

Subsec. (c)(3)(E), (F). Pub. L. 104–127, §819(c), added subpars. (E) and (F).

1990—Subsec. (a). Pub. L. 101–624 substituted “1995” for “1990”.

EFFECTIVE DATE OF 1998 AMENDMENT

Pub. L. 105–185, title VI, §606(a), June 23, 1998, 112 Stat. 603, provided that the amendment made by section 606(a) is effective Apr. 6, 1996.

§ 3319e. Repealed. Pub. L. 102–237, title IV, § 402(14), Dec. 13, 1991, 105 Stat. 1863

Section, Pub. L. 95–113, title XIV, §1473E, as added Pub. L. 101–220, §5, Dec. 12, 1989, 103 Stat. 1878, related to research into new commercial products from natural plant materials.

SUBCHAPTER XI—AQUACULTURE

SUBCHAPTER REFERRED TO IN OTHER SECTIONS

This subchapter is referred to in section 3103 of this title.

§ 3321. Statement of purpose

It is the purpose of this subchapter to promote research and extension activities of the institutions hereinafter referred to in section 3322(b) of this title, and to coordinate their efforts as an integral part in the implementation of the National Aquaculture Act of 1980 (16 U.S.C. 2801 et seq.) by encouraging landowners, individuals, and commercial institutions to develop aquaculture production and facilities and sound aquacultural practices that will, through research and technology transfer programs, provide for the increased production and marketing of aquacultural food products.

(Pub. L. 95–113, title XIV, §1474, as added Pub. L. 97–98, title XIV, §1440(a), Dec. 22, 1981, 95 Stat. 1316.)

REFERENCES IN TEXT

The National Aquaculture Act of 1980, referred to in text, is Pub. L. 96–362, Sept. 26, 1980, 94 Stat. 1198, which is classified generally to chapter 48 (§2801 et seq.) of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 2801 of Title 16 and Tables.

EFFECTIVE DATE

Subchapter effective Dec. 22, 1981, see section 1801 of Pub. L. 97–98, set out as a note under section 4301 of this title.

§ 3322. Assistance programs

(a) Research and extension program

The Secretary may develop and implement a cooperative research and extension program to encourage the development, management, and production of important aquatic food species within the several States and territories of the United States and to enhance further the safety of food products derived from the aquaculture industry, in accordance with the national aquaculture development plan, and revisions thereto, developed under the National Aquaculture Act of 1980 [16 U.S.C. 2801 et seq.].

(b) Grants

The Secretary may make grants to—

- (1) land-grant and sea grant colleges and universities;
- (2) State agricultural experiment stations;
- (3) colleges, universities, and Federal laboratories having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary; and
- (4) nonprofit private research institutions;

for research and extension to facilitate or expand promising advances in the production and marketing of aquacultural food species and products and to enhance further the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds. Except in the case of Federal laboratories, no grant may be made under this subsection unless the State in which the grant recipient is located makes a matching grant (of which amount an in-kind contribution may not exceed 50 percent) to such recipient equal to the amount of the grant to be made under this subsection, and unless the grant is in implementation of the na-